

ADDENDUM TO THE FACT SHEET
FOR STATE WASTE DISCHARGE
PERMIT NO. ST 6125
October 2009

I. GENERAL INFORMATION

Facility: Cummins Northwest LLC
173 Hamilton Road
Napavine, Washington 98532

II. APPLICATION REVIEW

Cummins Northwest, LLC submitted an application to the Department of Ecology (Ecology) on February 06, 2009, for permit reissuance, and Ecology accepted it on February 09, 2009. Ecology has sufficiently reviewed the application, discharge monitoring reports, and other facility information in enough detail to ensure that:

- Cummins Northwest LLC for the most part has complied with the terms, conditions, requirements and schedules of compliance of the current permit.
- Ecology has up-to date information on the Cummins Northwest LLC waste treatment practices, the facility's production levels; and the nature, content, volume, and frequency of its discharge.
- The discharge meets applicable effluent standards and limits, local limits, and other legally applicable requirements.

III. PERMIT REAUTHORIZATION

When Ecology reauthorizes a discharge permit it essentially reissues the permit with the existing limits, terms and conditions. Alternatively, when Ecology renews a permit it re-evaluates the impact of the discharge on the publicly owned treatment plant which may lead to changes in the limits, terms and conditions of the permit.

This fact sheet addendum accompanies the permit, which Ecology proposes to reauthorize for the discharge of wastewater to the city of Chehalis's wastewater treatment plant. The previous fact sheet explains the basis for the discharge limitations and conditions of the reauthorized permit and remains as part of the administrative record.

Ecology determined it does not need to change the existing permit requirements, including discharge limits and monitoring, to protect the city of Chehalis's wastewater treatment plant. The previous fact sheet addressed conditions and issues at the facility at the time when Ecology issued the previous permit. Since the issuance of the current permit, Ecology has not received any additional information which indicates that environmental impacts from the discharge warrant a complete renewal of the permit. The reauthorized permit is virtually identical to the previous permit issued on October 1, 2004.

Ecology reviewed inspections and assessed compliance of the Cummins Northwest LLC discharge with the terms and conditions in the previous permit and determined that it should not

rank the facility as a high priority for permit renewal. Ecology assigns a high priority for permit renewals in situations where the Public Owned treatment Work (POTW) would benefit from a more stringent permit during the next five-year cycle.

The permit reauthorization process, along with the renewal of high priority permits, allows Ecology to reissue permits in a timely manner and minimize the number of active permits that have passed their expiration dates. For permit reissuance planning purposes, Ecology follows a system of ranking that considers the benefit gained by renewing a permit rather than reauthorizing a permit during its annual permit planning process. Ecology assesses each permit that is expiring and due for reissuance and compares it with other permits due for reissuance. Ecology notifies the public and seeks input after it has tentatively established the initial draft ranking of the permits it plans to renew and those it plans to reauthorize. Ecology considers all relevant comments and suggestions before it makes a final decision.

Ecology carried over the discharge limits and conditions in effect at the time of expiration of the previous permit to this reauthorized permit. Ecology only changed the submittal dates for reports from those in the previous permit. Ecology removed the completed report requirements that do not require additional or continued assessment. It adjusted the dates for the other standard compliance and submittal requirements that it carried over from the past permit into this reauthorized permit. Ecology considered these reports necessary in the previous permit and no information has come forward to cause it to reconsider.

Ecology also included a new Appendix A in the reauthorized permit which provides testing methods, detection limits, and method reporting limits that are required for testing as part of the permit renewal application and for routine permit compliance monitoring. Special Condition S1 has been revised to require conformance with the specifications provided in the new Appendix A table.

Ecology must public notice the availability of the draft reauthorized permit at least 30 days before it reissues the permit [Washington Administrative Code (WAC) 173-220-050]. Ecology invites you to review and comment on its decision to reauthorize the permit (see Appendix A-Public Involvement for more detail on the Public Notice procedures).

After the public comment period has closed, Ecology will prepare a response to comments document that it will attach to this fact sheet addendum. The response to comments will include the resultant changes to the permit and either address each comment individually or summarize the substantive comments and respond. Ecology sends a copy of the response to comments to all parties who submitted comments. Ecology will include the response to comments in this fact sheet addendum.

IV. RECOMMENDATION FOR PERMIT ISSUANCE

Ecology proposes to reissue this permit for five years.

APPENDIX A--PUBLIC INVOLVEMENT INFORMATION

Ecology proposes to reissue a permit to Cummins Northwest Inc. The permit includes wastewater discharge limits and other conditions. This fact sheet addendum describes the facility and Ecology's reasons for reauthorizing the permit conditions.

Ecology placed a Public Notice of Application on June 4, 2009, and June 11, 2009, in the *Chronicle* to inform the public about the submitted application and to invite comment on the reissuance of this permit.

Ecology will place a Public Notice of Draft on September 4, 2009, in the *Chronicle* to inform the public and to invite comment on the proposed draft State Waste Discharge permit and fact sheet addendum.

The Notice –

- Tells where copies of the draft Permit and Fact Sheet are available for public evaluation (a local public library, the closest Regional or Field Office, posted on our website.).
- Offers to provide the documents in an alternate format to accommodate special needs.
- Urges people to submit their comments, in writing, before the end of the Comment Period
- Tells how to request a public hearing of comments about the proposed State Waste Discharge Permit.
- Explains the next step(s) in the permitting process.

Ecology has published a document entitled **Frequently Asked Questions about Effective Public Commenting** which is available on our website at <http://www.ecy.wa.gov/biblio/0307023.html>.

You may obtain further information from Ecology by telephone, **360-407-6280**, or by writing to the permit writer at the address listed below.

Industrial Unit Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, Washington 98504-7775

APPENDIX B--RESPONSE TO COMMENTS

On October 6, 2009, Ecology received comments from Tom Gibbons of the Quinault Indian Nation.

- 1) Ecology should vigorously track the required submittal and receipt of Cummins Northwest LLC DMR. Ecology should add provision to the draft permit that would result in immediate and measured enforcement activities against Cummins Northwest LLC if they continue to not submit required DMRs per the terms of the NPDES permit as organizations and stakeholders who have interest in monitoring and maintaining the water quality of the Chehalis River watershed are hindered when Permittee's do not fully comply with the terms of their NPDES permit.
- 2) The QIN would suggest Ecology perform a site inspection of the Cummins Northwest LLC facility prior to the issuance of this NPDES permit to verify that the activities and wastes on site related to the discharge remain the same as at the last site inspection.
- 3) Ecology should perform one or more site inspections during the new NPDES permit five years period as the last site inspection was performed in December 2000 AND violations of the permit effluent requirements have occurred in the past. This action would allow Ecology to re-verify the nature of activities and chemicals/oil on-site that result in discharges of effluent and provide any needed source control technical assistance to the Permittee to update and/or modify practices to reduce pollutants measured in the effluent. Further, this will add the city of Chehalis in operation and removal of pollutants from effluent discharges to the wastewater treatment plant that are released to the Chehalis River.

Ecology's Response

Comments noted